



**SBAITI & COMPANY**

A TEXAS PROFESSIONAL LIMITED LIABILITY COMPANY

May 24, 2022

**Via E-File**

Honorable Gregory H. Woods  
U.S. District Judge  
Southern District of New York  
500 Pearl Street, Room 2260  
New York, NY 10007

**Re: *U.S. Bank Nat'l Ass'n, et al. v. The Charitable Donor Advised Fund, et al.*,  
Cause No. 1:21-cv-11059-GHW (S.D.N.Y.)**

Dear Judge Woods:

I write on behalf of NexPoint Diversified Real Estate Trust ("NexPoint") regarding the recently rescheduled telephonic hearing regarding Plaintiff's request for jurisdictional discovery. Unfortunately, I am unable to participate in the hearing on June 2<sup>nd</sup> as I am required to be present for an in-person all-day pre-trial session that cannot be rescheduled due to the involvement and participation of a half-dozen people).

Accordingly, I respectfully request that the Court reschedule the hearing. I am available on June 1<sup>st</sup> in the afternoon or June 3<sup>rd</sup> at any time.

Respectfully submitted,

/s/ Mazin A. Sbaiti

Mazin A. Sbaiti

***Counsel for Defendant NexPoint Diversified  
Real Estate Trust***

cc: Counsel of Record (via ECF)